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ATTORNEYS FOR DEFENDANT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

OLEKSANDR LOBODA,

Plaintiff,

vs.

EISAI INC.,

Defendant.

Civil Action No.: 2:17-cv-01910-ER

**DEFENDANT'S MOTION FOR LEAVE TO FILE A REPLY BRIEF**

Defendant, Eisai, Inc. ("Defendant"), by its undersigned attorneys, hereby files the following Motion for Leave to File a Reply Brief in further support of its Motion to Dismiss, stating as follows:

1. Plaintiff filed a Complaint in this Court on April 26, 2017, alleging various causes of action arising out of his termination from employment with Defendant. (Doc. No. 1.)

2. On June 21, 2017, Defendant filed a Motion to Dismiss Plaintiff's Complaint seeking dismissal of the Complaint in its entirety. (Doc. No. 7.)

3. Subsequently, on July 24, 2017, Plaintiff filed his Response in Opposition to Defendant's Motion to Dismiss. (Doc. No. 13.)

4. Plaintiff's response presents arguments which are contrary to controlling Third Circuit law. Moreover, Plaintiff's response contains factual misrepresentations, some of which are immaterial and some of which require additional

clarification. Defendant's Reply Brief is necessary to rebut these issues and points of law, which were not addressed in Defendant's initial brief, and will provide the clarification necessary to permit the Court to make a fully informed decision relative to these issues.

5. In light of the above, Defendant respectfully requests the opportunity to address these matters in the form of a reply brief. Defendant's proposed reply brief is attached hereto as Exhibit A.

WHEREFORE, Defendant respectfully requests that this Court grant its Motion for Leave to File a Reply Brief.

Respectfully submitted,

**JACKSON LEWIS, P.C.**

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*ATTORNEYS FOR DEFENDANT*

Dated: July 27, 2017